

KAUFMAN, DOLOWICH & VOLUCK, LLP

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*Attorney for Defendants, Sher Tremonte, LLP Justin M. Sher,
Michael Tremonte, Noam Korati Biale and Anna Maria Estevao*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Jose O. Torres,

Plaintiff,

v.

Sher Tremonte, LLP, Justin M. Sher,
Michael Tremonte, Noam Korati Biale, Anna
Maria Estevao, Tor Ekeland Law, PLLC, Tor
Ekeland, Jessica Coonrod, Argentino Fiore
Law Advocacy, LLC, Jodi Argentino,
Celeste Fiore, Frank Morano,

Defendants.

Hon. Madeline Cox Arleo

Civil Action No. 2:22-cv-4662
(MCA)(CLW)

**CERTIFICATION OF COUNSEL IN
SUPPORT OF DEFENDANTS' MOTION
TO DISMISS PURSUANT TO FED. R.
CIV. PRO. 12(b)(6)**

I, Robert A. Berns, Esq., of full age, certify as follows:

1. I am an attorney at law of the State of New Jersey and a partner with Kaufman Dolowich & Voluck, LLP, attorneys for Defendants Sher Tremonte, LLP Justin M. Sher, Michael Tremonte, Noam Korati Biale and Anna Maria Estevao ("Defendants"), and I am responsible for the handling of this matter. As such, I am fully familiar with the facts set forth in this Certification.

2. I submit this certification in support of Defendants' Motion to Dismiss for failure to state a claim pursuant to Fed. R. Civ. Pro. 12(b)(6).

3. Jose O. Torres (“Plaintiff”) filed his Amended Complaint on August 1, 2022. Attached, as **Exhibit A** is a true and accurate copy of the referenced Amended Complaint.

4. The United States of America Filed a Criminal Complaint against Plaintiff on February 13, 2020. Attached as **Exhibit B** is a true and accurate copy of the referenced Indictment.

5. The United States of America filed a Criminal Indictment against Plaintiff on May 29, 2020. Attached as **Exhibit C** is a true and accurate copy of the referenced Criminal Complaint.

6. The United States of America filed a Second Superseding Indictment against Plaintiff on October 28, 2020. Attached as **Exhibit D** is a copy of the referenced Second Indictment.

7. The United States of America Filed an Order denying Plaintiff bail on May 14, 2020. Attached as **Exhibit E** is a copy of the referenced May 14 Order.

8. Maggie McNeill posted a blog post on June 24, 2019, which was used as a reference in Plaintiff’s Amended Complaint. Attached as **Exhibit F** is a copy of the referenced Blog Post.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, then I am subject to punishment by the Court.

Dated: November 10, 2022

/s/ Robert A. Berns, Esq.
Robert A. Berns, Esq.